P.R. No. 3266/06
Presented by Shri TARun
dated 29/6/06

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माननीय उच्च न्यायालय छत्तीसगढ़, बिलासपुर(छ.ग.)

SINGLE BENCH

W.P. No. 3214 / 2006

ओंकार सिंह ठाकुर वल्द स्व. श्री बन सिंह ठाकुर
उम्र 25 वर्ष सहायक ग्रेड 3 वनमंडल कार्यालय
नारायणपुर निवासी ग्राम एवं पोस्ट बम्हनी
तह. कोंडा गांव जिला बस्तर (छ.ग.).. .. **याचिकाकर्ता**

''विरूद्ध''

छत्तीसगढ़ शासन द्वारा

1. सचिव
   समान्य प्रशासन विभाग
   छ.ग.शासन मंत्रालय
   दाऊ कल्याण सिंह भवन रायपुर (छ.ग.)
2. वन मंडलाधिकारी
   नारायणपुर वनमंडल
   नारायणपुर जिला बस्तर (छ.ग.)
3. वन संरक्षक
   कांकेर वृत्त कांकेर (छ.ग.) .. .. **उत्तरवादीगण**

प्रादेश/रीट याचिका अंतर्गत अनुचछेद 226 सहपठीत अनुच्छेद 227 भारतीय संविधान।

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उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक WP No. 3214/06 **सन्** **200**

(15)

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

4-7-2006:-

Shri S.U. Sharif, counsel for the petitioner.

Miss Dipali Pandey, Panel Lawyer for the State/respondents on advance copy.

Heard both the counsel.

The main grievance raised by the petitioner in this writ petition is that, in para-6.4 of the petition it has been mentioned that as per the terms and condition of the appointment letter dated 24-5-2004 the services of the petitioner cannot be terminated without giving one month's notice and vide impugned order dated 26.6.2006 the services of the petitioner have been terminated without giving one month's notice.

Learned counsel for the petitioner submitted that at the place of posting of the petitioner there is no institute to learn and pass Hindi typing and to obtain diploma in Computer application, as such the petitioner was not able to acquire the said qualification within the stipulated period, therefore, time be extended.

Having heard learned counsel for the parties, I have perused the petition. As per the appointment letter dated 24.5.2004 the petitioner was allowed 3 years time to obtain one year diploma in computer application and 2 years time to pass Hindi typing test, failing which the petitioner's services were liable to be terminated. It is admitted position that the petitioner failed to acquire the said qualification, therefore, the petitioner's services can be terminated at the end of 2 years' service without giving one month notice.

As far as contention of learned counsel for the petitioner that as there is no training institute to acquire the said qualification in the area where the petitioner is working is concerned, it is for the concerned

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मामला क्रमांक ..... सन् 200

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आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश —2—	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	authority to consider this point. If the concerned authority is satisfied that the claim made by the petitioner is genuine, then to decide whether to extend his period for acquiring the said qualification or not. The Court cannot interfere in this case and direct the respondents to extend the period. In view of the above, the writ petition is disposed of. M.(W.)P. No.2469/2006 also stands disposed of. Parties are entitled for certified copy of this order. Sd/- L.C. Bhadoo Judge	

Barve